

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VERONICA RAMIREZ,

Plaintiff,

v.

No. 20-cv-0824 MV/SMV

**JOSEPH J. MARTINEZ,
EBETH CRUZ-MARTINEZ,
MARIANNA VIGIL, and
ROBERT GONZALES,**

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court its Memorandum Opinion and Order [Doc. 50], issued on July 30, 2021. Therein, the Court stayed all discovery directed at Defendant Martinez while his criminal trial was pending. *Id.* Because discovery is stayed pending the criminal trial, it is critical that Defendant Martinez keep the Court apprised of the status of the criminal trial. Thus, the Court ordered Defendant Martinez to file a notice every three months, apprising the Court of the current status of the criminal proceedings. *Id.* at 6. The most recent notice was due by August 16, 2022, but none has been filed. Defendant Martinez must show cause why he and/or his counsel should not be sanctioned for failure to follow this Court's Order.

After the Court directed Defendant Martinez's counsel to file the notices every three months, counsel timely filed the first Notice on October 29, 2021. [Doc. 59]. The next was due by January 29, 2022, but none was filed. The Court reminded counsel of her duty to file the notices at a hearing on February 16, 2022. [Doc. 85] at 1. Counsel filed the second Notice on the same

day. [Doc. 84]. Counsel timely filed the third Notice on May 16, 2022. [Doc. 100]. The fourth Notice was due no later than August 16, 2022, but none has been filed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that, no later than **September 12, 2022**, Defendant Martinez must show cause, in writing, why he and/or his counsel should not be sanctioned—including but not limited to monetary sanctions and/or the lifting of the stay—for failure to follow the Court Order [Doc. 50].

IT IS FURTHER ORDERED that, no later than **September 12, 2022**, Defendant Martinez file a notice updating the Court on the status of the criminal proceedings. Defendant Martinez *must* continue to file the notices every three months until the stay is lifted. If he fails to timely update the Court, sanctions may be imposed including monetary sanctions and/or the lifting of the stay.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge